

NOTICE OF EXEMPTION

<p>TO: Office of Planning and Research 1400 Tenth Street Sacramento, CA 95814</p> <hr/> <p>Sacramento County Clerk 600 8th Street Sacramento, CA 95814</p> <hr/> <p>Yolo County Clerk 625 Court Street Woodland, CA 95695</p> <hr/> <p>San Joaquin County Clerk 44 North San Joaquin Street Second Floor, Suite 260 Stockton, CA 95202</p> <hr/> <p>Contra Costa County Clerk 555 Escobar Street Martinez, CA 94553</p> <hr/> <p>Solano County Clerk 675 Texas Street, Suite 1900 Fairfield, CA 94533</p>	<p>FROM: Delta Conveyance Design and Construction Joint Powers Authority</p> <p>980 9th Street, Suite 2400 Sacramento, CA 95814</p>
<p>1. Activity Title:</p>	<p>Approval of Amendment No. 5 (the “Amendment”) to the Joint Exercise of Powers Agreement (“JEPA”) between the Department of Water Resources (“DWR”) and the Delta Conveyance Design and Construction Joint Powers Authority (the “Authority”)</p>
<p>2. Agency approving activity:</p>	<p>Delta Conveyance Design and Construction Joint Powers Authority</p>
<p>3. Applicant:</p>	<p>Delta Conveyance Design and Construction Joint Powers Authority. The Authority’s address is as follows: 980 9th Street, Suite 2400 Sacramento, CA 95814</p>
<p>4. Activity Location:</p>	<p>The Amendment has no specific location as it does not entail construction, development, or any other activity that could potentially result in a significant environmental impact.</p> <p>The JEPA generally authorizes the Authority to provide planning, environmental support, and outreach services to DWR as DWR conducts environmental review to consider a Delta conveyance project and alternatives. DWR anticipates that a potential future Delta conveyance project may span Sacramento, Yolo, San Joaquin, Contra Costa, and Solano counties. The Amendment, however, does not in any way approve or commit the Authority to a Delta conveyance project.</p>
<p>5. Description of nature, purpose, and beneficiaries of Activity:</p>	<p>On February 18, 2021, the Authority approved Amendment No. 5 to the JEPA. The Amendment provides for certain administrative, organizational, ministerial, and budgetary</p>

	amendments to the JEPA. Notably, the Amendment clarifies the scope of the Authority's agency under the JEPA by clarifying that the Authority is authorized to act as DWR's agent under permits, agreements, and authorizations that DWR has already obtained or will obtain in connection with environmental review, geotechnical work, planning, engineering, and design of a potential future Delta conveyance project. In addition, the Amendment makes an administrative amendment to the JEPA, changing the repayment date of the DWR initial contribution from January 10, 2021 to January 10, 2023. Amendment No. 5 to the JEPA does not commit the Authority to any current or future project, and it does not entail any construction or other activity that could result in a potentially adverse impact to the environment.
6. Exempt status:	
<input checked="" type="checkbox"/> Not an approval of a project.	State CEQA Guidelines sections 15060(c)(3), 15378(a), (b)(2)(4)-(5)
<input checked="" type="checkbox"/> Common sense exemption.	State CEQA Guidelines section 15061, subd. (b)(3)
7. Reason why activity was exempt:	<p>The Authority's approval of the Amendment does not qualify as a "project" subject to CEQA because it constitutes (1) continuing administrative or maintenance activities, such as general policy and procedure making; (2) government fiscal activities that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment; and (3) organizational or administrative activities of a public agency that will not result in direct or indirect physical changes in the environment. (State CEQA Guidelines, §§ 15060(c)(3), 15378(b)(2)(4)(5).) Moreover, the approval of the Amendment does not qualify as a "project" because it does not have a potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, § 15378(a).)</p> <p>Alternatively, the Authority's approval of the Amendment is exempt from CEQA under the common sense exemption set forth in State CEQA Guidelines section 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.</p>
8. Public Agency Contact Person:	Kathryn Mallon, Executive Director
Telephone:	(916) 347-0486

Signature: 

Date: 2-25-21

Name: Kathryn Mallon, Executive Director of Delta Conveyance Design and Construction Joint Powers Authority

Date Received for Filing: _____

(Clerk Stamp Here)